IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 946 (M/B) of 2006

1. Ranjeet Singh aged about 36 years S/o Nacchater Singh, R/o Village Bhaissia Bazpur, Distt. U.S. Nagar
2. Sukhbir Singh S/o Sri Kapoor Singh, R/o Babnara Rudrapur, District Udham Singh Nagar

..... Petitioners

Vs

1. State of Uttaranchal through Principal Secretary, Revenue Civil Secretariat, Dehradun
2. District Magistrate, Distt. Udham Singh Nagar
3. Sub Divisional Magistrate Kashipur, Distt. U.S. Nagar
4. Tehsildar Kashipur, Distt. U.S. Nagar

.....Respondents

Sri Paresh Tripathi, Advocate for the petitioners
Sri K.P. Upadhyaya learned Standing counsel for the State of Uttaranchal.

Dated: - August 7, 2006

Coram: Hon'ble P.C. Verma, J.
Hon'ble B.S. Verma, J.

By means of this writ petition, the petitioners have prayed for writ of certiorari quashing the impugned auction notice published in daily news paper "Amar Ujala dated 5.8.2006 notifying the auction to be held on 7.8.2006 at 11:00 A.M. issued by Respondent No.3 contained in Annexure No. 1 to the writ petition.

The petitioners have filed this writ petition on the ground that they could not get sufficient time to identify the land for which they are intending to proceed to offer the bid as today is the date fixed for auction. It has not been stated anywhere that for which plot numbers the petitioners are desirous to offer the bid, therefore, it is an attempt to get the auction postponed. The basis of the writ petition is that there was no sufficient time for physical verification of the land and for the argument of the money because 5th August, 2006

was Saturday, 6.8.2006 was Sunday and 7th i.e. today, the date is fixed for auction.

If the petitioners are intending to participate in the auction proceedings, they may proceed on the basis of the khasra numbers and after the auction is held, if the same is held in their favour, the petitioners may be given the land according to the area shown in the khasra numbers.

In view of the above, we feel that 3 days time is not sufficient for holding the auction, therefore, we provide that let the auction schedule to be held on 10.08.2006 at 10:15 a.m., if it has not already been held.

With the aforesaid observation, the petition is disposed of finally.

A copy of this order shall be supplied today to the learned counsel for the parties on payment of necessary charges.

(B.S. Verma, J.) **(P.C. Verma, J.)**

Rajeev Dang